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IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

UNITED STATES of AMERICA for the Use  
and Benefit of WEBCOR CONSTRUCTION,  
INC. dba WEBCOR BUILDERS, and  
WEBCOR CONSTRUCTION, INC. dba  
WEBCOR BUILDERS,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture; DICK  
CORPORATION; THE MORGANTI GROUP;  
AMERICAN CASUALTY COMPANY OF  
READING, PA; NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH,  
PA, and DOES 1 through 10, inclusive,

Defendants.

AMERICAN CASUALTY COMPANY OF  
READING, PA; NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH,  
PA,

Third Party Plaintiffs,

CIVIL ACTION NO.: 3:07-CV-02564-CRB

ADMINISTRATIVE MOTION TO CONSIDER  
WHETHER CASES SHOULD BE RELATED  
(*CIVIL L.R. 3-12(b)*)

DECLARATION OF ROGER P. HEYMAN FILED  
CONCURRENTLY HEREWITH

PROPOSED ORDER

JUDGE: Hon. Charles R. Breyer, Courtroom 8

1 vs.

2 BOYETT CONSTRUCTION, INC., a California  
3 corporation; MARELICH MECHANICAL CO.,  
4 INC., a California corporation;  
5 PERFORMANCE CONTRACTING GROUP,  
6 INC., dba PERFORMANCE CONTRACTING,  
7 INC., a Delaware corporation;  
8 PERMASTEELISA GROUP USA HOLDINGS  
9 CORP., a Delaware corporation fdba  
10 PERMASTEELISA CLADDING  
11 TECHNOLOGIES, LTD.; PERMASTEELISA  
12 CLADDING TECHNOLOGIES L.P., a  
13 Delaware limited partnership, fbda  
14 PERMASTEELISA CLADDING  
15 TECHNOLOGIES, LTD.; ROSENDIN  
16 ELECTRIC, INC., a California corporation;  
17 THIRD PARTY DOE DEFENDANTS 1  
18 THROUGH 20,  
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Third Party Defendants.

1 TO THE HONORABLE CHARLES R. BREYER:

2 Permasteelisa North America Corp., fdba Permasteelisa Cladding Technologies, L.P., fdba  
3 Permasteelisa Cladding Technologies, LTD. ("PCT") is the plaintiff and use plaintiff in Case No.  
4 CV08-3664-JCS, filed July 30, 2008 and entitled United States of America for the Use and Benefit  
5 of Permasteelisa North America Corp., fdba Permasteelisa Cladding Technologies, L.P., fdba  
6 Permasteelisa Cladding Technologies, LTD. and Permasteelisa North America Corp., fdba  
7 Permasteelisa Cladding Technologies, L.P., fdba Permasteelisa Cladding Technologies, LTD., vs.  
8 Dick/Morganti, a joint venture; Dick Corporation; The Morganti Group; American Casualty  
9 Company of Reading, Pennsylvania, National Union Fire Insurance Company of Pittsburgh,  
10 Pennsylvania, Continental Casualty Company; and Does 500 through 510, inclusive.

11 PCT hereby moves the Court to consider whether, pursuant to *Civil Local Rule 3-12*, said  
12 case is related to the above-entitled case. PCT filed the July 30, 2008 action per the Order of this  
13 Court in the above-entitled action that the individual subcontractor third party defendants herein  
14 could file their individual Miller Act and ancillary causes of action complaints in this Court but that  
15 upon filing of such an action an administrative motion to consider relating such cases to the above  
16 entitled case should be filed. The July 30, 2008 case and the above-entitled case involve the same  
17 parties and arise from the same project for the construction of the San Francisco Federal Building.

18 Respectfully submitted,

19 HEYMAN • DENSMORE LLP

20  
21 By



22 ROGER P. HEYMAN  
23 Attorneys for Permasteelisa North America Corp.  
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